

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

FILED

SEP 25 2006 *pk*

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY _____ DEPUTY CLERK

SANTANA BUSTAMANTE,
INDIVIDUALLY AND AS NEXT FRIEND
OF DIANA VILLALOBOS AND AS
REPRESENTATIVE OF THE ESTATE OF
ANGEL VILLALOBOS, DECEASED, AND
FOR AND ON BEHALF OF ALL THOSE
ENTITLED TO RECOVER FOR HIS
DEATH UNDER THE TEXAS
WRONGFUL DEATH AND SURVIVAL
ACTS, JOSE CRUZ VILLALOBOS,
INDIVIDUALLY, MICAELA
VILLALOBOS, INDIVIDUALLY AND AS
NEXT FRIEND OF JOSE VILLALOBOS,
AND ANABELI VILLALOBOS,
MINOR CHILDREN, MARIA ROMAN
BUSTAMANTE, ELIDA ROMAN,
HECTOR BUSTAMANTE, AND
SANDY BUSTAMANTE

Plaintiffs,

V.

COOPER TIRE & RUBBER COMPANY

Defendant.

CIVIL ACTION NO.

SA:04-CV-591-OG (NN)

(Consolidated with
SA:05-CA-1107-OG)

JURY

CARMEN VILLALOBOS AND
AUGUSTIN VILLALOBOS

Plaintiffs,

V.

COOPER TIRE & RUBBER COMPANY

Defendant.

**LIMITED MOTION FOR PERMISSION TO PROVIDE SEALED ORDER
ESTABLISHING TRUST OF MARIA BUSTAMANTE TO TRUSTEE, ENCORE
TRUST, ONLY**

COME NOW, Plaintiffs in the above-styled action and submit this their Limited Motion for Permission to Provide Sealed Order Establishing Trust of Maria Bustamante (Docket Number 163) to Trustee, Encore Trust, only and would respectfully show as follows:

Factual Background & Request

1. This consolidated action settled and the Court entered various orders. On or about September 11, 2006, the Court signed and entered the sealed Order Establishing Trust of Maria Bustamante (Docket Number 163). Plaintiffs now request permission from the Court to provide a copy of the sealed Order Establishing Trust of Maria Bustamante (Docket Number 163) *for the sole purpose of providing a certified copy to the trust company, Encore Trust, only*. Plaintiffs understand and agree that, should the Court grant this Motion, the Court's permission is strictly limited to the allowance of Plaintiffs to provide a certified copy of the Order Establishing Trust of Maria Bustamante to the trust company, Encore Trust, only.

WHEREFORE, Plaintiffs respectfully request the Court to enter an order permitting Plaintiffs to provide a certified copy of the sealed Order Establishing Trust of Maria Bustamante for the sole purpose of providing a certified copy to the trust company, Encore Trust, only.

RESPECTFULLY SUBMITTED,

By *Matt O'A* *with express permission*

Jason P. Hoelscher
State Bar No. 24010671
Federal I.D. No. 38772
SICO, WHITE & BRAUGH L.L.P.
900 Frost Bank Plaza
802 N. Carancahua
Corpus Christi, Texas 78470
Phone: 361/653-3300
Fax: 361/653-3333

ATTORNEY-IN-CHARGE FOR PLAINTIFFS


CERTIFICATE OF CONFERENCE

I hereby certify that counsel for Cooper Tire & Rubber Company does not oppose this motion.

Matt O'A *with express permission*
Jason P. Hoelscher

CERTIFICATE OF SERVICE

I hereby certify that the foregoing instrument was served on counsel for defendant in compliance with the Federal Rules of Civil Procedure this 22nd day of September, 2006.

 *with express permission*

Jason P. Hoelscher

Via Certified Mail

Mr. T. Christopher Trent
Mr. R. Todd Marshall
Johnson, Spalding, Doyle, West & Trent, L.L.P.
910 Travis Street, Suite 1700
Bank One Center
Houston, Texas 77002

On this date, the Court considered Plaintiffs' Limited Motion for Permission to Provide Sealed Order Establishing Trust of Maria Bustamante to Trustee, Encore Trust, Only and after reviewing the motion has decided to grant the motion for the limited purpose stated within Plaintiffs' Motion only. Therefore, it is

ORDERED, ADJUDGED, and DECREED that Plaintiffs' Limited Motion for Permission to Provide Sealed Order Establishing Trust of Maria Bustamante to Trustee, Encore Trust, Only is hereby in all things GRANTED and that Plaintiffs may provide a certified copy of the Sealed Order Establishing Trust of Maria Bustamante to Trustee, Encore Trust, only.

Signed this _____ day of _____ 2006.

HONORABLE JUDGE ORLANDO GARCIA